

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MICHAEL C. WORSHAM,

*

Plaintiff,

*

v.

*

Case No.: RDB-20-0008

DISCOUNT POWER, INC.,

*

Defendant.

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* * * * *

ORDER

On August 31, 2020, *pro se* Plaintiff Michael Worsham (“Plaintiff”) filed a Motion for Sanctions under Federal Rule 11. (ECF No. 37.) On September 3, 2020, the Court referred this case to Magistrate Judge Deborah L. Boardman for a Report and Recommendation regarding Plaintiff’s Motion for Sanctions. (ECF No. 38.) On September 30, 2020, Judge Boardman issued a Report and Recommendation, recommending that this Court deny Plaintiff’s Motion. (ECF No. 40.) Pursuant to Judge Boardman’s Report and Recommendation, any objections were to be filed within fourteen days. (*Id.*) On October 15, 2020, with no objections having been filed, this Court entered an Order Adopting Magistrate Judge Boardman’s Report and Recommendation. (ECF No. 42.) However, later that day, an objection was filed by Plaintiff, after the Court had signed its Order noting that no objections had been filed. (ECF No. 41.)

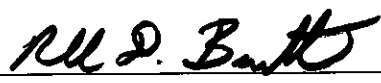
Presently pending is Plaintiff’s Motion to Reconsider and Vacate Order Adopting the Magistrate Judge’s Report and Recommendations for Plaintiff’s Motion for Sanctions Under Rule 11, brought pursuant to Rules 60(a) and 60(b)(1) of the Federal Rules of Civil Procedure.

(ECF No. 43.) Rule 60(a) enables a court to “correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record. The court may do so on motion or on its own, with or without notice.” Fed. R. Civ. P. 60 (a). The Fourth Circuit has held that under Rule 60(a), a court may also correct “an unintended ambiguity that obfuscates the court’s original intent.” *Sartin v. McNair Law Firm PA*, 756 F.3d 259, 266 (4th Cir. 2014) (citing cases). Accordingly, in order for this Court to correct an unintended ambiguity resulting from this Court’s adopting the Report and Recommendations mere hours before Plaintiff filed his objections, Plaintiff’s Motion to Reconsider and Vacate Order Adopting the Magistrate Judge’s Report and Recommendations for Plaintiff’s Motion for Sanctions Under Rule 11 (ECF No. 43) is GRANTED, the Court’s Order (ECF No. 42) is VACATED, and the Court now considers Plaintiff’s objections (ECF No. 41).

Upon consideration of Plaintiff’s objections, the Court finds they lack merit, concluding that the Magistrate Judge’s findings were neither clearly erroneous nor contrary to law. Accordingly, the Court ADOPTS Judge Boardman’s Report and Recommendation (ECF No. 40) as an ORDER OF THE COURT, and Plaintiff’s Motion for Sanctions (ECF No. 37) is DENIED.

IT IS HEREBY SO ORDERED.

OCTOBER 21, 2020



HON. RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE